

Message Text

CONFIDENTIAL

PAGE 01 GENEVA 06576 261358Z

40

ACTION EUR-12

INFO OCT-01 IO-04 ISO-00 ACDA-05 OMB-01 CIAE-00 DODE-00

PM-03 H-01 INR-05 L-01 NSAE-00 NSC-05 PA-01 RSC-01

PRS-01 SP-02 SS-15 USIA-06 OIC-02 CU-02 /068 W

----- 006887

R 261213Z OCT 74

FM USMISSION GENEVA

TO SECSTATE WASHDC 8903

INFO AMEMBASSY BONN

AMEMBASSY BUCHAREST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY ROME

USMISSION BERLIN

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

C O N F I D E N T I A L GENEVA 6576

EO 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJ: CSCE: ITALIAN AND ROMANIAN ENEMY STATE AND FOUR POWER
RIGHTS CONCERNS

REF: A) STATE 232680; B) ROME 14775; C) GENEVA 6539; D) STATE
225758; E) GENEVA 6299 (ALL NOTAL)

1. ITALIAN DELEGATION HAS NOT YET RAISED WITH US THEIR
SENSITIVITIES OVER ENEMY STATES ARTICLES ON UNCHARTER.
THEY HAVE, HOWEVER, BROUGHT UP MATTER INDIRECTLY BY INDICATING
DIFFICULTIES WITH CURRENT BONN GROUP LANGUAGE INTENDED TO
RESERVE QUADRIPARTIE RIGHTS AND RESPONSIBILITIES. WHILE
ITALIAN ARGUMENT HAS FOCUSED ON BREZHNEV DOCTRINE ASPECTS
OF BONN GROUP LANGUAGE, THEIR PROPOSED AMENDATIONS OF THAT
LANGUAGE SUGGEST DESIRE TO CHIP AWAY AT ENEMY STATES
ARTICLES AS WELL.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 GENEVA 06576 261358Z

2. ITALIANS SUGGESTED TO EC-NINE CAUCUS FOUR VARIATIONS OF CLAUSE THAT MIGHT BE ADDED TO BONN GROUP LANGUAGE. BASIC VARIANT WOULD QUALIFY PRESERVATION OF RIGHTS HELD BY PARTICIPATING STATES "IN SO FAR AS SUCH RIGHTS ARE COMPATIBLE WITH THE (INTERNATIONAL) OBLIGATIONS INCUMBENT UPON THEM ALL WITHIN THE FRAMEWORK OF THE (COLLECTIVE SECURITY SYSTEM OF THE UNITED NATIONS (UNITED NATIONS SECURITY SYSTEM))." WE AND SOME EC-NINE DELS HAVE TOLD ITALIAN DEL THAT SUCH LANGUAGE WOULD DANGEROUSLY WEAKEN BONN GROUP FORMULA, AND ITALIANS HAVE HINTED THAT, LIKE DUTCH (REF C). SOME AT LEAST OF THEIR CONCERNS MIGHT BE DEALT WITH IF QUADRIPARTITE RIGHTS PROVISION IS EVENTUALLY PLACED IN FINAL CLAUSES RATHER THAN IN TENTH PRINCIPLE. IN VIEW OF DEPARTMENT'S COMMENTS (REF D) AND INDICATIONS FROM AND SOVIETS ALSO MAY FAVOR SUCH PLACEMENT (REF C) WE ARE ENCOURAGING ITALIANS IN THIS LINE OF THINKING.

3. FROM INDICATIONS REFS A AND B, IT WOULD APPEAR THAT ITALIAN CONCERN ON ENEMY STATES ARTICLES ALSO CENTERED ON LANGUAGE PRESENTLY IN FRENCH FORMULATION FOR TENTH PRINCIPLE TO EFFECT THAT PARTICIPATING STATES "ALSO NOTE THAT NOTHING IN THIS DECLARATION CAN BE INTERPRETED IN A MANNER CONFLICTING WITH A PROVISION OF THE CHARTER OF THE UNITED NATIONS." IT OCCURS TO US THAT IF WE OBTAIN SATISFACTORY QUADRIPARTITE RIGHTS LANGUAGE ALONG LINES OF THAT DEVELOPED IN BONN GROUP WHICH IS PLACED IN FINAL CLAUSES, AND NON-USE OF FORCE LANGUAGE IS SATISFACTORILY CAVEATED TO PROTECT RIGHT TO USE FORCE LEGALLY IN SECOND PRINCIPLE AS WELL AS IN GENERAL DISCLAIMER IN FINAL CLAUSES, IT MIGHT BECOME POSSIBLE TO REPLACE "PROVISION OF THE CHARTER OF THE UNITED NATIONS" WITH "THE PURPOSES AND PRINCIPLES OF THE CHARTER OF THE UNITED NATIONS," IN TENTH PRINCIPLE SINCE SUCH LANGUAGE IN ITSELF COULD NOT BE CONSTRUED AS INVALIDATING ANY ARTICLES OF UN CHARTER.

4. WE WILL SEEK OPPORTUNITY WEEK OF OCTOBER 28 TO DISCUSS ENEMY STATES CONCERNS WITH MEMBER OF ITALIAN DELEGATION MOST FAMILIAR WITH PRINCIPLES DECLARATION (HE HAS BEEN ILL PAST
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 GENEVA 06576 261358Z

FEW DAYS), AND, IF DEPARTMENT CONCURS, WILL SUGGEST WILLINGNESS TO CONSIDER PLACEMENT OF BONN GROUP LANGUAGE IN FINAL CLAUSES AND MODIFICATION OF REFERENCE TO UN CHARTER, PROVIDED ADEQUATE

QUADRIPARTITE RIGHTS AND LEGAL USE OF FORCE LANGUAGE IS OBTAINED, IN ORDER TO LEAVE STATUS OF ARTICLES 53 AND 107 OF CHARTER UNIMPAIRED BUT UNHIGHLIGHTED.

5. ROMANIAN PROBLEM REMAINS WHERE IT WAS SEVERAL WEEKS AGO. ROMANIANS HAVE TOLD US THEY ARE INTERESTED IN RECEIVING DEPARTMENT'S REACTION TO LANGUAGE THEY HAVE SUGGESTED MIGHT BE INSERTED IN PREAMBLE OF THEIR NON-USE OF FORCE PROPOSAL (REF E). WE HAVE HELD OUT NO REPEAT NO HOPE THAT WE COULD ACCEPT LESS THAN SATISFACTORY REFERENCE TO USES OF FORCE SANCTIONED BY CHARTER EITHER IN PARAGRAPH THREE OF THEIR PROPOSAL OR IN SOME OTHER PART OF THEIR PROPOSAL THAT WOULD CLEARLY RELATE TO PARAGRAPH THREE. SPECIAL WORKING BODY RETURNED TO ROMANIAN PROPOSAL OCTOBER 24, BUT IT IS UNLIKELY TO REACH PARAGRAPH THREE BEFORE WEEK OF NOVEMBER 5 AT EARLIEST. FRG, WHILE INDICATING IT AGAIN PREPARED TO DISCUSS ROMANIAN PROPOSALS, HAS BEGUN FLOATING IDEA THAT ROMANIAN TEXTS SHOULD BE SCATTERED ABOUT IN RELEVANT PARTS OF PRINCIPLES DECLARATION RATHER THAN PRESERVED IN SEPARATE DOCUMENT. IF IDEA GAINS MOMENTUM, IT MAY MAKE IT SOMEWHAT EASIER FOR US TO PROTECT OUR QUADRIPARTITE RIGHTS POSITION, AS WELL AS RIGHT TO USE FORCE LEGALLY AS SANCTIONED BY CHARTER, WITH AID OF SECOND PRINCIPLE LANGUAGE AND GENERAL RESERVATION IN FINAL CLAUSES.

ABRAMS

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: COLLECTIVE SECURITY, ENEMY STATES CLAUSES, INTERGOVERNMENTAL COOPERATION, BERLIN QUADRIPARTITE MATTERS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 26 OCT 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974GENEVA06576
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740306-0904
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741014/aaaaakzl.tel
Line Count: 136
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) STATE 232680; B) ROME 14775; C) G, ENEVA 6539; D) STATE
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 08 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 APR 2002 by boyleja>; APPROVED <06-Aug-2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CSCE: ITALIAN AND ROMANIAN ENEMY STATE AND FOUR POWER RIGHTS CONCERNS
TAGS: PFOR, RO, XG, IT, CSCE, UN
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005